UNITED STATES PATENT AND TRADEMARK OFFICE

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ART UNIT	PAPER NUMBER
2178	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/710,835	DIRSTINE, ADAM D.
	Examiner	Art Unit	
	THU V. HUYNH	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 June 2009_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _16-26 and 31-38_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _16-26, 31-38_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: RCE filed on 6/23/09 to application filed on

08/05/04.

2.   Claims 16-26, 31-38 are pending claims in this case. Claims 16 and 31 are dependent

claims.

3.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
manner in which the invention was made.

5.   **Claims 16, 20-21, 23-25, 31-35 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over <u>Cseri</u> et al., US 2003/0046317 A1, filed 04/19/01, in view of <u>Petersen</u> et

al., US 2005/0144556 A1, filed 12/31/2003.

Regarding independent claim 16, Cseri teaches a network device comprises:

- at least one processor (Cseri, fig.1; [0020]; personal and server computers);

- a network interface configured to communicate with the at least one processor and a

network (Cseri, fig.1, [0020]; connecting to the Internet network);

- an XML document processing module, including a compression module configured

to compress an XML document into a compressed binary stream to convert the

compressed binary stream into compressed text encoded from the compressed binary

stream, and to format the compressed text and format the text so as to provide back

the XML document, wherein compressing an XML document into a binary stream

includes compressing redundant text stream in the XML document (Cseri, [0014],

[0020], [0063], [0092]; compressing XML document by tokenizing the XML

document to produce XML binary formatted document and converting the XML

binary formatted document to parsed XML and convert back to the XML document

for displaying to a user computer, wherein the tokenizing includes tokenizing

redundant XML tags, such as <a> or).

However, Cseri does not explicitly disclose the XML documents are compressed valid

XML documents.

Petersen teaches XML documents are compressed valid XML documents with elements

and attributes in shot tokens (Petersen, [0083]).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Petersen's teaching and Cseri's teaching to convert the

compressed binary into compressed valid XML, since the conversion would have provided

advantage of storing and transmitting the compressed valid XML documents which are in

reduced size.

Regarding claim 20, which is dependent on claim 16, Cseri does not teaches XML

document processing module includes a decompression module to decompress compressed valid

XML document.

Sullivan teaches the XML document processing module includes a decompression module to decompress compressed valid XML document (Sullivan, fig.4; col.4, lines 64-66; decompressing a token XML document to XML document).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Sullivan's teaching and Cseri's teaching to include a decompressing module, since the combination would have recreated the XML from the token XML document.

Regarding claim 21, which is dependent on claim 16, Cseri teaches the network device is an embedded device server operable to manage a remote device using XML documents (Cseri, [0020]; server and client).

Regarding claim 23, which is dependent on claim 16, Cseri teaches the network interface includes a web interface (Cseri, [0020]-[0021]; in order to transmit, access XML web document in the Internet, the network interface must includes a web interface).

Regarding claim 24, which is dependent on claim 16, Cseri teaches the network interface is a wireless network (Cseri, [0021]).

Regarding claim 25, which is dependent on claim 24, Cseri teaches the network device is included in a cell phone (Cseri, [0020], [0115], hand-held devices, mobile phones).

Regarding independent claim 31, Cseri teaches the steps of:

- a communication network (Cseri, [0020], [0021]; communication network for connecting systems to the Internet network);

- at least first and second network devices to communicate over the network (Cseri, [0020], [0021]; the network device comprises personal computer, hand-held devices, server computers, main frames, etc., wherein each network device includes:

    o at least one processor (Cseri, [0020]);

    o a network interface to communicate with the at least one processor (Cseri, figure 1, [0020], [0021]).

    o an XML document processing module, wherein the XML document processing module includes:

        ▪ a compressing module configured to compress an XML document and to convert compressed an XML document into a compressed binary stream and to convert the binary stream into text and format the text so as to provide back the XML document (Cseri, [0014], [0020], [0063]; compressing XML document by tokenizing the XML document to produce XML binary formatted document and converting the XML binary formatted document to XML document for displaying to a user computer).

However, Cseri does not explicitly disclose the XML documents are compressed valid XML documents.

Petersen teaches XML documents are compressed valid XML documents with elements and attributes in shot tokens (Petersen, [0083]) and the compressed valid XML documents can be reconstructed to original XML document to display to user (Petersen, [0090]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Petersen's teaching and Cseri's teaching to convert the compressed binary into compressed valid XML, since the conversion would have provided advantage of storing and transmitting the compressed valid XML documents which are in reduced size.

Regarding claim 32, which is dependent on claim 31, referring to rationale relied to reject claim 31, the limitation "the first network device is an embedded device server, the first network device operable to receive a device configuration file as a compressed valid XML document and decompress the document" is included. The rationale is incorporated herein.

Regarding claim 33, which is dependent on claim 31, Cseri teaches the first network device is operable to transfer to a status message as a compressed valid XML document to the second network device (Cseri, fig.3B, [0063]; a system sends the compressed XML document).

Regarding claim 35, which is dependent on claim 31, Cseri teaches the network is a wireless communication network (Cseri, [0021]).

6.   Claims 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Cseri</u>

and Petersen as applied to claim 16 above, and further in view of Krasinski et al., US

6850948 A1, filed 10/30/2000.

Regarding claims 36-37, which are dependent on claims 16 and 31 respectively, Cseri

teaches comprss a first XML document into a binary stream; convert the binary stream into a

compressed valid XML document as explained in claim 1. However, Cseri does not teach

associate at least on XML tag with the compressed valid XML document, wherein the XML tag

identifies the document as a compressed XML document.

Krasinski teaches associating at least on XML tag with the compressed valid XML

document, wherein the XML tag identifies the document as a compressed XML document

(Krasinski, fig.2, claim 3).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Krasinski's teaching and Cseri's teaching to insert XML

tag with compressed valid the XML document, since the combination would have identified the

document as a compressed document as Krasinski disclosed.

Regarding claim 38, which is dependent on claim 37, refer to claim 1, Cseri teaches

receive the compressed valid XML document containing compressed text; reconvert the

compressed text into a compressed binary stream and decompress the binary stream to obtain the

first XML document (Cseri, [0014], [0020], [0063], [0092]; and fig.3B).

7.   **Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cseri**

and Petersen as applied to claim 16 above, and further in view of Girardot et al., US

2003/0023628 A1, filed 04/09/01.

      Regarding claim 17, which is dependent on claim 16, Cseri does not explicitly disclose

the XML document processing module is configured to compress the XML document into the

compressed binary stream using a deflate compression algorithm.

      Girardot teaches deflate compression is popular used to compress a document (Girardot,

[0009]).

      It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Girardot's teaching and Cseri's teaching to compress the

XML document using deflate compression algorithm, since the deflate compression is popular

one.

8.   **Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Cseri, Petersen and Girardot as applied to claim 17 above, and further in view of Tycksen,

Jr. et al., US 6,189,097 B1, filed 03/24/97.

      Regarding claim 18, which is dependent on claim 17, Sceri does not explicitly teach

compression module includes a binary to ASCII text encoding algorithm.

      Tycksen teaches converting binary data to ASCII text (Tycksen, col.9, lines 7-15).

      It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Tycksen's teaching and Sceri's teaching to include a

binary to ASCII text encoding algorithm, since the combination allowed to convert the XML

binary data in to ASCII text in order to provide the XML document to the user.

Regarding claim 19, which is dependent on claim 18, Sceri does not teaches the binary to ASCII text encoding algorithm includes using base-64 encoding algorithm.

Tycksen teaches the binary to ASCII text encoding algorithm includes using base-64 encoding algorithm (Tycksen, col.9, lines 7-15).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Tycksen's teaching and Sceri's teaching to include a binary to ASCII text encoding algorithm, since the combination allowed to convert the XML binary data in to ASCII text in order to provide the XML document to the user.

9.   **Claims 22, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sceri and Petersen as applied to claims 16 above, and further in view of Ma et al., US 2005/0063575 A1, filed 09/22/03.**

Regarding claim 22, which is dependent on claim 16, Sceri does not explicitly disclose the network interface includes a serial port.

Ma teaches network interface includes a serial port (Ma, [0074]; a serial communication network).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Ma's teaching and Sceri's teaching to include a serial port, since the combination would have connected systems using many types of communication network.

Regarding claim 34, which is dependent on claim 31, Sceri teaches the network is wired

or wireless satellite network (Sceri, [0019], [0020]). However, Sceri teaches does not explicitly

disclose the network is a serial communication network.

Ma teaches network is a serial communication network (Ma, [0074]; serial wireless

network).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Ma's teaching and Sceri's teaching to include a serial

wireless network, since the combination would have connect system using many type of

communication network.

10.   **Claim 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Sceri and Petersen as applied to claim 16 above, and further in view of Hsu et al., US

2004/0205158, filed 02/24/03.

Regarding claim 26, which is dependent on claim 16, Sceri teaches the network is a

wireless local area network (WLAN) (Sceri, [0019], [0020], network LAN and is wired or

wireless). However, Sceri does not explicitly disclose the network device is included in a

WLAN computer card.

Hsu teaches network device is included in a WLAN computer card (Hsu, [0093], laptop

includes WLAN card).

It would h have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Hsu's teaching into Sceri's teaching to include WLAN

computer card, since the combination would have connected systems using many type of
communication network.

Response to Arguments

11.   Applicant's arguments with respect to claims 16-26, 31-38 have been considered but are
not persuasive.

Applicants mainly argue with respect to claims 16-17, 20-21, 23-25, 31-35 either
Petersen, Cseri or by their proposed combination does not teach "the compressed text encoded
from the compressed binary stream"; "a compress module … to format the compressed text so
as to form a compressed valid XML document"; "compressing redundant text stream in the XML
document". Applicants further argue that "a proper prima facie case of obviousness has not been
shown" (remarks, page 7)

Examiner respectfully disagrees. Cseri teaches compressing an XML document from a
text format to binary format by tokenizing so that the binary representation of the XML is
reduced in bytes (Cseri, [0092]); the compressed binary is also converted to parsed XML data
and XML document (Cseri, [0063], [0067]). Precede teaches XML documents are compressed
valid XML documents with elements and attributes in short tokens (Petersen, [0083]) and the
compressed valid XML documents can be reconstructed to original XML document to display to
user (Petersen, [0090]). Therefore, Cseri's binary stream is a compressed (see current
application's specification, summary, [0017], [0025]) and the parsed XML is compressed text
encoded from the compressed binary stream that is converted to an XML document or valid
XML document when combine with Precede's teaching. Cseri teaches tokenizing includes

tokenizing redundant XML tags, such as <a> or (Cseri, [0092, example A). Since, both

Precede and Cseri teaches parsing and tokenizing element and attribute (Cseri, [0015]; Precede,

[0083]) in order to replace with short tokens and/or numbers, the combination is actually teaches

the claimed invention and the combination is proper.

Applicants argue that "one of skill in the art would not reasonably be led to add the

deflate algorithm of Girardot to the tokenizing system of Cseri, because the result would no

longer be an XML binary formatted document" (Remarks, page 8).

Examiner respectfully disagrees. Cseri teaches compress XML document using

tokenizing. Girardot teaches deflate compression is popular used to compress a document

(Girardot, [0009]).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Girardot's teaching and Cseri's teaching to compress the

XML document using deflate compression algorithm or tokenizing.

Applicants argue that "Claims 36-38 … were not addressed in detail in the body of the

Office Action".

However, claims 36-38 now are rejected and explained in the rejection above.

Conclusion

12.   The prior art made of record, listed on PTO 892 provided to Applicant is

considered to have relevancy to the claimed invention.

Applicant should review each identified reference carefully before responding to this

office action to properly advance the case in light of the prior art.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thu V. Huynh whose telephone number is (571) 272-4126. The

examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thu Huynh/
Primary Examiner, Art Unit 2178
August 17, 2009